BOMBAY ACT No. L OF 1953.[1]

[THE BOMBAY LAND TENURES ABOLITION (RECOVERY OF RECORDS) ACT, 1953.]

[*7th October 1953*]

An Act to provide for taking over records maintained by the holders of lands or villages held on tenures which have been abolished by certain enactments in the State of Bombay.

WHEREAS it is expedient to provide for taking over records maintained by the holders of lands or villages held on tenures which have been abolished by certain enactments in the State of Bombay; It is hereby enacted as follows :—

1. This Act may be called the Bombay Land Tenures Abolition (Recovery of Records) Act, 1953. Short title.

2. In this Act, unless there is anything repugnant in the subject or context— Definitions.

(*1*) "holder" means—

(*a*) a taluqdar,

(*b*) a watandar,

(*c*) a vazifdar,

(*d*) an estate-holder,

(*e*) a mulgirasia,

(*f*) an ankadedar,

(*g*) a kaul-holder, or

(*h*) an inamdar,

as defined or referred to in the respective Land Tenure Abolition Acts and includes his heirs, assigns and legal representatives and also a person who for the time being is in possession of any land records on behalf of such holder;

(*2*) "Land Tenure Abolition Act" means an Act specified in the Schedule to this Act;

(*3*) "land records" means records maintained by a holder in respect of the land or village held by him at any time before the abolition of the tenure on which such land or village was held;

(*4*) "prescribed" means prescribed by rules made under this Act.

3. It shall be the duty of every holder to deliver, in the prescribed manner, within two months from the date of the commencement of this Act, all land records in his possession to the Collector or to such officer as may be appointed by the State Government in this behalf: Holder to deliver land records to State Government.

Provided that in the case of any holder, the Collector or the officer, as the case may be, may, for sufficient reasons, extend such period by a further period not exceeding two months.

[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1953, Part V, page 435.

Power to make searches.

4. If the Collector or the officer appointed under section 3 has reason to believe that any holder is not likely to deliver the land records as required by section 3 or is likely to destroy them or tamper with them, he may, for the purpose of recovering such records, issue a search warrant and exercise all such powers with respect thereto as may be lawfully exercised by a magistrate under the provisions of Chapter VII of the Code of Criminal Procedure, 1898. V of 1898.

Offence and penalty.

5. If a holder fails to deliver land records in accordance with the provisions of section 3, he shall, on conviction, be punished with fine which may extend to two hundred rupees. In the case of a continuing failure to deliver land records, the holder shall be punished with an additional fine which may extend to twenty-five rupees for every day during which such failure continues after conviction for the first such failure.

Rules.

6. The State Government may, subject to the condition of previous publication, make rules for carrying out the purposes of this Act. Such rules shall, when finally made, be published in the *Official Gazette*.

SCHEDULE.

(*See* section 2.)

1. The Bombay Taluqdari Tenure Abolition Act, 1949 (Bom. LXII of 1949).

2. The Bombay Paragana and Kulkarni Watans (Abolition) Act, 1950 (Bom. LX of 1950).

3. The Bombay Watwa Vazifdari Rights Abolition Act, 1950 (Bom. LXII of 1950).

4. The Salsette Estates (Land Revenue Exemption Abolition) Act, 1951 (Bom. XLVII of 1951).

5. The Bombay Personal Inams Abolition Act, 1952 (Bom. XLII of 1953).

6. The Bombay Merged Territories (Ankadia Tenure Abolition) Act, 1953 (Bom. XLIII of 1953).

7. The Bombay Kauli and Katuban Tenures (Abolition) Act, 1953 (Bom. XLIV of 1953).

8. The Bombay Merged Territories (Baroda Mulgiras Tenure Abolition) Act, 1953 (Bom. XLV of 1953).

9. The Bombay Merged Territories (Baroda Watan Abolition) Act, 1953 (Bom. XLVI of 1953).